

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL THOMAS,

Plaintiff,

vs.

CAPITAL ONE,

Defendant.

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CIV. ACT. NO. 1:23-cv-216-TFM-B

MEMORANDUM OPINION AND ORDER

On January 10, 2024, the Magistrate Judge entered a Report and Recommendation which recommends the Defendant's motion to dismiss (Doc. 12) be granted in part and this action dismissed without prejudice. *See* Doc. 21. No objections were filed and the deadline passed.

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge (Doc. 21) is **ADOPTED** as the opinion of this Court. Accordingly, the motion to dismiss (Doc. 12) is **GRANTED** and this action **DISMISSED without prejudice**.

DONE and ORDERED this 7th day of February, 2024.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE